

**RAB**

**Recommendations**

**HPHA**

**Responses**





Hawaii Public Housing Authority  
5 Year and Annual Plan  
Fiscal Year 2014 – 2019

**RAB Comments and HPHA Response**  
**Proposed 2014 PHA 5 Year and Annual Plan Revisions**  
**(FY 2014-2019)**

1. **Proposed Revision:** Mixed Finance Redevelopment – The HPHA will look into the feasibility of pursuing mixed finance redevelopment projects and create public/private partnerships with redevelopment partners utilizing various U.S. Department of Housing and Urban Development programs such as the Resident Assistance Demonstration program and the Choice Neighborhoods Initiative. The HPHA will also utilize various financing tools to rehabilitate federal and state low-income public housing properties, and pursue any and all means of financing including but not limited to federal grants, state appropriations and low income housing tax credits.

RAB comment: Unanimous support.

HPHA Response: The HPHA appreciates the support of the RAB and will continue to consult with the RAB on future policy changes.

2. **Proposed Revision:** Evaluate the need for and the feasibility of the U.S. Department of Housing and Urban Development's (HUD) "Step Up" program which provide jobs and job training opportunities on HUD-assisted construction to residents of public housing and other low income people.

RAB comment: The RAB requested clarification that people with mental disabilities could also participate in the "Step Up" program. Unanimous support.

HPHA Response: The "Step Up" program does include people with mental disabilities. The HPHA appreciates the support of the RAB and will continue to consult with the RAB on future policy changes.

3. **Proposed Revision:** Grievance Hearing – Exempt the HPHA from providing a grievance hearing where HUD issues a due process determination such as:
  - a. Any criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents or employees of the HPHA;
  - b. Any violent or drug-related criminal activity on or off such premises; or
  - c. Any criminal activity that resulted in a felony conviction of a household member.





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If HUD issues a due process determination, the PHA may evict the occupants of the dwelling unit through the judicial eviction procedures. The HPHA is not required to provide the opportunity for a hearing under the HPHA's administrative grievance procedure. This will allow the HPHA to more quickly remove dangerous criminal tenants from public housing. Elements of due process shall mean an eviction action or a termination of tenancy in a State or local court in which the following procedural safeguards are required:

- a. Adequate notice to the tenant of the grounds for terminating the tenancy and for eviction;
- b. Right of the tenant to be represented by counsel;
- c. Opportunity for the tenant to refute the evidence presented by the PHA including the right to confront and cross-examine witnesses and to present any affirmative legal or equitable defense which the tenant may have;
- d. A decision on the merits.

RAB comment: The RAB believes in the safety and security in the community and discussed several past incidents where a due process determination from HUD would be ideal in removing people on drugs that perform violent acts. The RAB would like to see a revised rental agreement that states more HPHA obligations, and would like to have education for the community when they interact with people with mental disabilities. Unanimous support.

HPHA Response: The HPHA has been working with the Attorney General's office in revising the HPHA rental agreement and will look into reaching out to mental health social service providers to educate tenants on interacting with people with mental disabilities. The HPHA appreciates the support of the RAB and will continue to consult with the RAB on future policy changes.

4. **Proposed Revision:** Housing Choice Voucher – The HPHA may award Section 8 Housing Choice Vouchers to public housing residents for the following reasons without regard for the Housing Choice Voucher waitlist:
  - a. Temporary or permanent relocation as a result of planned acquisition, demolition or rehabilitation.
  - b. Emergency health and safety issues which prohibit a tenant to continue to reside at their property and no other comparable public housing project is available.
  - c. Approved reasonable accommodation – Public housing tenants who have been approved for a transfer as a reasonable accommodation for a unit with special features when no unit is



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available must wait a year before being eligible to receive a Housing Choice Voucher.

RAB comment: Unanimous support.

HPHA Response: The HPHA appreciates the support of the RAB and will continue to consult with the RAB on future policy changes.

5. **Proposed Revision:** ACOP and Housing Choice Voucher – Update occupancy guidelines for low-income public housing and the Housing Choice Voucher program – 2 per living space and single person families shall be allocated a studio. (ACOP pg. 5-1 and Section 8 Admin Plan pg. 5-12)

RAB comment: The RAB noted that not every family would appreciate having family members sleeping in their living room due to the loss of privacy. Other concerns would be that by transferring families to satisfy the occupancy guidelines, families could be moved away from areas where they are already established in the community with their children going to the schools in the area, transportation issues and healthcare facilities.

HPHA Response: The HPHA notes the concerns of the RAB regarding the proposed update in occupancy guidelines for low-income public housing and the Housing Choice Voucher program. However, this change will allow the HPHA to provide housing assistance to more people, and this will assure the full utilization of the unit. The HPHA is not allowed to have children of the opposite sex sleep in the same room without the family's consent, and the unit size standard shall be discussed with the family if they qualify for more than one unit size. The HPHA will continue to work with the RAB in determining a process when transferring and placing families according to the proposed changes of the occupancy guidelines.

6. **Proposed Revision:** Housing Choice Voucher – The PHA will not approve adding an additional family consisting of more than one member to the Housing Choice Voucher. (Section 8 Admin Plan pg. 9-4)

RAB comment: Unanimous support.

HPHA Response: The HPHA appreciates the support of the RAB and will continue to consult with the RAB on future policy changes.



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7. **Proposed Revision:** Housing Choice Voucher – Family members age 18 years and over who remove themselves from the household shall be removed from the voucher. These individuals shall not be readmitted to the household and must apply as a new applicant for placement on the waiting list. The PHA in making determinations under this paragraph will consider medical hardship or other extenuating circumstances and may only be allowed back into the household as a live-in aide. (Section 8 Admin Plan pg. 9-4)

RAB comment: The RAB stated that an extenuating circumstance be provided for families who have foster children, children with disabilities, and would like to see more low-income public housing tenants receive Housing Choice Vouchers.

HPHA Response: The HPHA notes the concerns of the RAB and will continue to work with the RAB in determining if foster children and children with disabilities be considered for an extenuating circumstance.

8. **Proposed Revision:** Housing Choice Voucher – Only original household members at the time of voucher issuance can retain the voucher. Once all original household members are no longer in the household, the voucher shall be returned to the HPHA.

RAB comment: Unanimous support.

HPHA response: The HPHA appreciates the support of the RAB and will continue to consult with the RAB on future policy changes.

9. **Proposed Revision:** Housing Choice Voucher – If the HPHA must terminate Housing Assistance Payments contracts due to insufficient funding, the PHA will do so in accordance with the following criteria and instruction: Lottery System. Under this option the HPHA will randomly choose families to terminate from the Housing Choice Voucher Program. (Section 8 Admin Plan pg. 12-6 and 12-7)

RAB comment: The RAB would like the HPHA to terminate families from the Housing Choice Voucher Program by income amount instead of with a lottery system. The RAB would also like the HPHA to exempt vouchers that belong to the elderly and disabled.



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HPHA Response: Currently, the process for terminating families from the Housing Choice Voucher program goes by “last in, first out”. The HPHA notes the concerns of the RAB and will continue to explore options with the RAB when the HPHA must terminate Housing Assistance Payments contracts due to insufficient funding.

10. **Proposed Revision:** Project Based Housing Choice Voucher – Close the Palolo Project Based Housing Choice Voucher waitlist except for 4 bedroom units until the waitlist is a reasonable size and waitlist applicants have an opportunity to be served in a reasonable time.

RAB comment: Unanimous support.

HPHA Response: The HPHA appreciates the support of the RAB and will continue to consult with the RAB on future policy changes.